

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re: FAIRFIELD SENTRY LIMITED, et al., Debtor in Foreign Proceedings.	Chapter 15 Case Case No. 10-13164 (CGM) Jointly Administered
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. BGL BNP PARIBAS SA, et al., Defendants.	Adv. Pro. No. 10-03626 (CGM)
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. BNP PARIBAS SECURITIES SERVICES LUXEMBOURG, et al., Defendants.	Adv. Pro. No. 10-03627 (CGM)
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al., Plaintiffs, v. ABN AMRO SCHWEIZ AG, et al., Defendants.	Adv. Pro. No. 10-03635 (CGM)

FAIRFIELD SENTRY LTD. (IN
LIQUIDATION), et al.,

Plaintiffs,

v.

ABN AMRO SCHWEIZ AG, et al.,

Defendants.

Adv. Pro. No. 11-03636 (CGM)

FAIRFIELD SENTRY LTD. (IN
LIQUIDATION), et al.,

Plaintiffs,

v.

BNP PARIBAS SECURITIES NOMINEES
LTD., et al.,

Defendants.

Adv. Pro. No. 11-01579 (CGM)

FAIRFIELD SENTRY LTD. (IN
LIQUIDATION), et al.,

Plaintiffs,

v.

BNP PARIBAS FORTIS, et al.,

Defendants.

Adv. Pro. No. 11-01617 (CGM)

FAIRFIELD SENTRY LTD. (IN
LIQUIDATION), et al.,

Plaintiffs,

v.

BNP PARIBAS ESPAÑA, et al.,

Defendants.

Adv. Pro. No. 12-01551 (CGM)

AMENDED SCHEDULING ORDER FOR THE LIQUIDATORS' RULE 37 MOTIONS

WHEREAS, on November 17, 2022, the Court entered an agreed scheduling order concerning Rule 37 motions for sanctions in connection with a claim of spoliation for Plaintiffs and defendants BGL BNP Paribas S.A. (*f/k/a* BNP Paribas Luxembourg SA), BNP Paribas Securities Services Luxembourg, BNP Paribas (Suisse) SA (*f/k/a* BNP Paribas (Suisse) SA Ex Fortis and BNP Paribas (Suisse) SA Private), BNP Paribas Fortis (*f/k/a* Fortis Bank SA/NV), BNP Paribas Securities Nominees Ltd. (*a/k/a* Harrier Holdings Ltd.), and BNP Paribas España (*f/k/a* Fortis Bank (España)) (collectively, the “BNP Defendants”);

WHEREAS, on December 23, 2022, Plaintiffs and defendant Banque Internationale à Luxembourg SA (*f/k/a* Dexia Banque Internationale à Luxembourg) (“BIL”) submitted a proposed scheduling order for a Rule 37 motion for sanctions;

IT IS NOW, THEREFORE, HEREBY ORDERED, based on the agreement of counsel for Plaintiffs, the BNP Defendants, and BIL that:

1. The Liquidators may file motions for sanctions against the respective BNP Defendants and BIL under Rule 37 (the “Sanctions Motions”) on or before January 20, 2023;
2. The BNP Defendants’ and BIL’s oppositions to the Sanctions Motions shall be filed on or before February 22, 2023;
3. The Liquidators’ replies in further support of their Sanctions Motions shall be filed on or before March 8, 2023;
4. The Court will hear argument on the Sanctions Motions at the March 15, 2023 omnibus hearing, or on such other date as the Court orders; and,

5. Prior scheduling orders concerning Plaintiffs' Rule 37 motion briefing with the BNP Defendants are modified to the extent inconsistent with the provisions herein.

Dated: January 13, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge